



Attorney Docket No.: 70604

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : NISHIBE  
Serial No. : 10/255,014  
Confirm. No. : 1192  
Filed : September 25, 2002  
For : POUCH WITH A STRAW...  
Art Unit : 3727  
Examiner :  
Dated : January 17, 2003

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Notice To File Missing Parts Of Application - Filing Date Granted dated October 25, 2002 provided for a shortened statutory period for response of three months.

The shortened statutory period expired December 24, 2002.

Since the attached response is being filed within the first month pursuant to 37 CFR 1.136(a) we attach a Request To Charge Deposit Account for the appropriate petition fee of \$55.00.

01/22/2003 GWORDOF1 00000065 130410 10255014  
02 FC:2251 55.00 CH

Respectfully submitted  
for Applicant(s),

By:

John James McGlew  
Reg. No.: 31,903

For: McGLEW AND TUTTLE, P.C.

JJM:jms



DATED: January 17, 2003  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND  
TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE  
TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS  
MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS  
AND TRADEMARKS, WASHINGTON, D.C. 20231, NO. EV255458269US.

McGLEW AND TUTTLE, P.C., SCARBOROUGH STATION,  
SCARBOROUGH, NY 10510

BY: *[Signature]* DATE: January 17, 2003